



Under the current Discovery Plan and Scheduling Order entered on June 28, 2016 (Doc. #22), the deadline for filing the response to initial non- infringement, invalidity, and unenforceability contentions (LPR 1-10) is September 26, 2016. The parties are currently engaged in settlement discussions which may resolve the claims of this litigation. In order to allow the parties additional time to continue ongoing settlement discussions before a response is due, the parties request that the current deadline be extended nine (9) days until Wednesday, October 5, 2016. The litigation of this matter will be best served by the proposed extension.

Accordingly, Plaintiff and Defendant respectfully request that the Court grant this request to continue the deadline for Filing Response to Initial Non- Infringement, Invalidity, and Unenforceability Contentions (LPR 1-10) until October 5, 2016.

Dated: September 23, 2016

/s/ Mark Borghese  
 Mark Borghese, Esq.  
**BORGHESE LEGAL, LTD.**  
 10161 Park Run Drive, Suite 150  
 Las Vegas, Nevada 89145

Reza Mirzaie, Esq.  
 Paul S. Kroeger, Esq.  
 Stanley H. Thompson, Jr., Esq.  
 C. Jay Chung, Esq.  
**RUSS, AUGUST & KABAT**  
 12424 Wilshire Blvd., 12th Floor  
 Los Angeles, California 90025

Attorneys for Plaintiff

/s/ Robert M. Fuhrer  
 Bryan P. Collins, Esq.  
 Robert M. Fuhrer, Esq.  
**PILLSBURY WINTHROP SHAW PITTMAN LLP**  
 1650 Tysons Boulevard, Suite 1400  
 McLean, Virginia 22102-4856

James D. Boyle, Esq.  
 Sean E. Story, Esq.  
**HOLLEY DRIGGS WALCH FINE**  
**WRAY PUZEY & THOMPSON**  
 400 South Fourth Street, Third Floor  
 Las Vegas, Nevada 89101

Attorneys for Defendant

### ORDER

**IT IS SO ORDERED.**

  
 \_\_\_\_\_  
 UNITED STATES MAGISTRATE JUDGE

DATED: September 26, 2016

**CERTIFICATE OF SERVICE**

I am a resident of Clark County, Nevada and am over the age of 18 years and not a party to the action. My business address is: 10161 Park Run Drive, Suite 150, Las Vegas, Nevada, 89145.

On **September 23, 2016**, I served this document on the parties listed on the attached service list via one or more of the methods of service described below as indicated next to the name of the served individual or entity by a checked box:

**PERSONAL SERVICE:** by personally hand-delivering or causing to be hand delivered by such designated individual whose particular duties include delivery of such on behalf of the firm, addressed to the individual(s) listed, signed by such individual or his/her representative accepting on his/her behalf. A receipt of copy signed and dated by such an individual confirming delivery of the document will be maintained with the document and is attached.

**EMAIL:** By transmitting a copy of the document to the electronic-mail address designated by the attorney or the party who has consented to such manner of service.

**E-FILE:** Automatically through the court's electronic filing system.

**FAX SERVICE:** by transmitting to a facsimile machine maintained by the attorney or the party who has consented to such manner of service.

**MAIL SERVICE:** by placing a true copy thereof enclosed in a sealed envelope with postage thereon fully prepaid, in the United States mail at Las Vegas, Nevada. I am readily familiar with the firm's practice of collection and processing correspondence by mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage fully prepaid at Las Vegas, Nevada in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

I declare that under penalty of perjury under the laws of the State of Nevada that the above is true and correct. I further declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

*/s/ Mark Borghese*

\_\_\_\_\_  
An employee of BORGHESE LEGAL, LTD.

**SERVICE LIST**

<b>ATTORNEYS OF RECORD</b>	<b>PARTIES REPRESENTED</b>	<b>METHOD OF SERVICE</b>
Bryan P. Collins, Esq. Robert M. Fuhrer, Esq. <b>PILLSBURY WINTHROP SHAW PITTMAN LLP</b> 1650 Tysons Boulevard, Suite 1400 McLean, Virginia 22102-4856  James D. Boyle, Esq. Sean E. Story, Esq <b>HOLLEY DRIGGS WALCH FINE WRAY PUZEY &amp; THOMPSON</b> 400 South Fourth Street, Third Floor Las Vegas, Nevada 89101	Attorneys for Defendant	<input type="checkbox"/> Personal service <input type="checkbox"/> Email <input checked="" type="checkbox"/> E-File <input type="checkbox"/> Fax service <input type="checkbox"/> Mail service